

The Leesburg Planning Commission met on Thursday June 5, 2003 in the Council Chambers at 25 West Market Street, Leesburg, Virginia. Staff members present for the meeting were Lee Phillips, John Johnston, Brian Boucher, Susan Swift and Anne Marie Eaton.

CALL TO ORDER

The meeting was called to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Present: Vice-Chairman Clem
Commissioner Kennedy
Commissioner Bangert
Commissioner Hoovler
Mayor Umstattd

Absent: Chairman Vaughan
Commissioner Dube
Commissioner Werner

ADOPTION OF THE AGENDA

Commissioner Hoolver made a motion to approve the agenda.

Commissioner Kennedy seconded.

ACTION: Approved, vote 4-0-1

ADOPTION OF THE MINUTES

Commissioner Kennedy made a motion to approve the minutes from the May 1, 2003 meeting and the May 15, 2003 meeting.

Commissioner Hoovler seconded.

ACTION: Approved, vote 4-0-1

REMARKS BY PETITIONERS

None

SUBDIVISION AND LAND DEVELOPMENT

LAND DEVELOPMENT FEES –Mike Freda, Management/Budget Officer

Mr. Freda came forward to answer any questions from the Commission.

Commissioner Bangert read the following motion to approve the Land Development Fees:

I move that the Planning Commission recommend that the Town Council approve the revised and new service fees outlined in the attached document.

Commissioner Hoovler seconded.

ACTION: Approved, vote 4-0-1

FIRST CITIZENS BANK- PRELIMINARY/FINAL DEVELOPMENT PLAN

(Action)- Lee Phillips, Chief of Current Planning

Mr. Lee Phillips came forward and gave a brief presentation on the above application.

Mr. Phillips stated both the Engineering Department and the Planning Department is recommending approval of this application.

Commissioner Kennedy read the following motion to approve the Preliminary/Final Development Plan for First Citizens Bank:

I move that the Planning Commission approve the above referenced preliminary/final development plan, conditioned upon satisfactory resolution of the Department of Planning, Zoning and Development review comments dated May 9, 2003, and Department of Engineering and Public Works review comments dated May 22, 2003, the applicant has agreed to said conditions in writing in a letter dated May 23, 2003.

Commissioner Bangert seconded.

ACTION: Approved, vote 4-0-1

ROSEBROOK-PRELIMINARY SUBDIVISION PLAT

(Action) –John Johnston, Senior Planner

Mr. Johnston came forward and gave a brief presentation on the above application.

Mr. Johnston stated staff is recommending approval.

Commissioner Hoovler asked about the tree save area on the Old Waterford Knoll side.

Mr. Johnston showed the Commission the details of the tree save areas.

Commissioner Hoovler stated he was concerned about the amount of trees to be removed near the Old Waterford Knoll area.

Mayor Umstattd asked about the retaining wall.

Mr. Steve Plesco the representative of Centex homes came forward to address questions about the retaining wall and the trees.

Commissioner Hoovler stated his concerns about the trees had been met.

Commissioner Hoovler read the following motion for the Rosebrook Preliminary Subdivision Plat:

I move that the Planning Commission approve the above referenced preliminary subdivision plat conditioned upon review comments from the Department of Planning, Zoning and Development dated May 13, 2003, and the Department of Engineering and Public Works dated May 1, 2003, will be satisfied on the final subdivision plat and construction drawings as agreed to in writing by the applicant in a letter dated May 27, 2003. I further recommend the Commission grant a special approval of a cul-de-sac in excess of 600 feet per Section 13-73(j) of the Leesburg Subdivision and Land Development Regulations.

Commissioner Bangert seconded.

ACTION: Approved, vote 4-0-1

ZONING

ZOAM 03-02 BUFFER-YARD MODIFICATION-

Brian Boucher, Zoning Administrator.

Mr. Boucher came forward and gave a brief overview of the above proposal amendment.

Commissioner Bangert asked Mr. Boucher about the recommendation of approving this amendment at the public hearing, does that mean we would not have the ten-day opening after the public hearing like we usually do?

Mr. Boucher stated he is leaving that up to the Planning Commission.

Ms. Swift stated staff is going ask the Commission to consider doing this more frequently to flip-flop their philosophy on the ten-day ruling so that if there are no issues then the Commission can waive the ten-day ruling. She stated it really ends up pushing the item a whole month or six weeks before it can get on the Council's agenda.

Commissioner Banget asked if we change the buffer yards for certain individuals and deny it for other individuals what is the Town's liability on this matter? She asked how do we make sure each applicant is treated equally?

Mr. Boucher stated it would be under the Council's legislative discretion. He stated it would also involve staff and the Planning Commission's recommendation on the issues involved in the application.

Commissioner Kennedy stated there are major issues with this such as replacing the Board of Zoning Appeals to make Zoning decisions. He stated we are doing spot zoning so we can squeeze the KFC into a piece of land that it does not fit into. He stated this will not work; this is no way to do planning in this Town. He stated making this political along with the spot zoning is an absolute mistake. He stated this needs to go to Council with a recommendation of denial.

TOWN PLAN STATUS REPORT-Susan Swift, Director

Ms. Swift updated the Planning Commission on the status of the Town Plan.

Ms. Swift announced Mr. David Fuller the new Chief of Comprehensive Planning will be starting on Monday, June 9.

There was a brief discussion about posting the Town Plan information on the Town's web site, getting the information out to the other commissions and homeowner associations.

Commissioner Kennedy made a motion to adjourn the meeting.

Commissioner Hoovler seconded.

ACTION: Meeting adjourned, 8:00 p.m.

Vice-Chairman, Jim Clem

Anne M. Eaton, Recording Clerk